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DE RUEHUJA #0301 0461227  
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FM AMEMBASSY ABUJA  
TO RUEHC/SECSTATE WASHDC PRIORITY 2091  
INFO RUEHZK/ECOWAS COLLECTIVE  
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RHMFISS/DET STUTTGART FOBE VAIHINGEN GE  
RUEKJCS/DOD WASHDC  
RHEBAAA/DEPT OF ENERGY WASHDC  
RHEHNSC/NSC WASHINGTON DC  
RUEAIIA/CIA WASHINGTON DC  
RUEKDIA/DIA WASHDC  
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C O N F I D E N T I A L ABUJA 000301

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E.O. 12958: DECL: 01/25/2018

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SUBJECT: UPDATE ON STATUS OF FORCES DISCUSSION WITH NIGERIA

REF: (A) STATE 163176 (B) HEFLIN-SANDERS FEB 2008  
EMAILS

Classified By: Acting Political Counselor Heather Merritt for reasons 1  
.4. (b & d).

¶1. (C) SUMMARY: Per reftel, Department desires Post to pursue a broad Status of Forces Agreement (SOFA) with the Government of Nigeria, citing the limited nature of the protections afforded DOD personnel under the current 2000 bilateral diplomatic note. We believe that given the current engagements levels, political sensitivities, and military climate in Nigeria, the Government of Nigeria (GON) would not agree to a such a broad SOFA and advise that we use the existing 2000 bilateral diplomatic note as our operating framework until the time is right for a more comprehensive SOFA. We understand that PM is amenable to the 2000 dipnote until such time that the environment is more conducive to a SOFA. END SUMMARY.

¶2. (C) USG military engagement with Nigeria is at a sensitive point politically and militarily. In addition to domestic political considerations that may render the Yar'Adua administration less able/willing to act on suggestions for greater bilateral military engagement with the USG, the Nigerian military command structure is hamstrung by internal strife, poor decision-making ability, and allegations of corruption at all levels. In the current climate, Post believes that any effort to move a new SOFA forward would be derailed by the abovementioned paralysis and infighting, as well as the negative political climate and press on U.S. military interest in Nigeria.

¶3. (C) In addition, AFRICOM continues to be the subject of major controversy in the media and in Nigerian government circles. Although we have begun to see small signs of understanding in the GON's posture toward the Command, this improvement, along with current levels of engagement, could be put at risk by introducing what the GON would see as a potentially controversial SOFA request at this time. We therefore suggest delaying putting forward the proposed draft until a more propitious time. The 2000 agreement, which affords adequate protection, would remain in force until then. Meanwhile, Ambassador along with DOD Mission elements will continue to try to put in place the building blocks to make the SOFA more acceptable to the GON. In a February 12 meeting with an array of Ministers at the Presidential Villa, Ambassador started to introduce the subject by noting to the Minister of Defense the U.S.' desire to work together under a more formal military framework with the GON, such as under a

SOFA.  
SANDERS